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Patent
Attorney Docket No. GEMS8081.110

US PATENT & TRADEMARK
OFFICE
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : TOTH, Thomas L. et al.
Serial No. : 09/683,128
Filing Date : 11/21/01
Title : **System and Method of Medical Imaging Having
Default Noise Index Override Capability.**
Group Art No. : 3736
Examining Attorney : Unknown
Attorney Docket No. : GEMS8081.110

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

- | | |
|--|---|
| Mailing | |
| <input checked="" type="checkbox"/> deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 | 37 CFR 1.10 |
| <input checked="" type="checkbox"/> with sufficient postage as first class mail | <input type="checkbox"/> As "Express Mail Post Office to Addressee" Mailing Label No. |
| 37 CFR 1.8(a) | Transmission |
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Date: 6-16-03

Jean A. Johnson
Signature

Commissioner for Patents
P.O. Box 1450
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**REQUEST TO REFUND FEE PAID BY MISTAKE
UNDER 37 C.F.R. §1.26(a)**

Dear Sir:

Applicant respectfully requests a refund of fees paid by mistake under 37 C.F.R. §1.26(a). The fee was paid by mistake in an electronic submission of an Information Disclosure

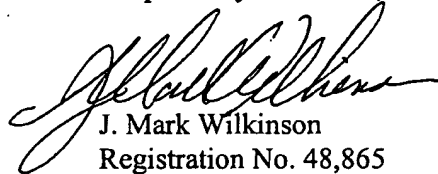
TOTH, Thomas L. et al

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Statement (IDS) via ePAVE software on June 10, 2003. The IDS was submitted with a statement specified in 37 C.F.R §1.97(e) and the fee set forth in § 1.17(p). However, fees are not required to be submitted with the IDS because a first Office Action on the merits has not been mailed.

Therefore, Applicant respectfully requests that the submission fee of \$180.00 be refunded to the credit card account to which the fee was charged.

Respectfully submitted,



J. Mark Wilkinson
Registration No. 48,865

Dated: June 16, 2003
Attorney Docket No.: GEMS8081.110

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